

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL ACTION NO. 5:13-CR-00084-KDB-DSC**

UNITED STATES OF AMERICA, )  
v. )  
KERSTON DESHAWN EDWARDS, )  
Defendant. )

**THIS MATTER IS BEFORE THE COURT** on the Bureau of Prison's ("BOP") request that the Court clarify whether the Defendant's sentence is to run concurrent with, or consecutive to, the state-court sentence he received for similar underlying conduct.

On October 27, 2014, this Court sentenced the Defendant to a 188-month term of imprisonment for Possessing With Intent to Distribute Cocaine Base, a schedule II Controlled Substance. This Court's Judgment is silent as to whether Defendant's federal sentence is to be served consecutively or concurrently with his state sentence. (Doc. No. 35).

Pursuant to *Setser v. United States*, 566 U.S. 231, 236-37 (2012), a federal district court has the discretion to order a defendant's sentence to run consecutively or concurrently with any other sentence.

**IT IS THEREFORE ORDERED** that Defendant's sentence is to run concurrently with the state-court sentence he received for similar underlying conduct.

**SO ORDERED.**

Signed: September 13, 2021

*Kenneth D. Bell*